

AF/DW

**RESPONSE UNDER RULE 116
EXPEDITED HANDLING PROCEDURES**

In re Patent Application of

Atty ARC-912-41
Dkt.

KANG, H. et al.

C# M#
TC/A.U. 1612

Serial No. 10/676,260

Examiner: Kishore

Filed: October 2, 2003

Date: October 2, 2008

Title: SUBMICRON-LIPOSOME CONTAINING HIGHLY CONCENTRATED
TRITERPENOID AND METHOD FOR PREPARING THEREOF**Mail Stop AF**Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE/AMENDMENT/LETTER

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

☐ **Correspondence Address Indication Form Attached.****Fees are attached as calculated below:**

Total effective claims after amendment	0	minus highest number	
previously paid for	20	(at least 20) =	0 x \$52.00
			\$0.00 (1202)/\$0.00 (2202) \$

Independent claims after amendment	0	minus highest number	
previously paid for	3	(at least 3) =	0 x \$220.00
			\$0.00 (1201)/\$0.00 (2201) \$

If proper multiple dependent claims now added for first time, (ignore improper); add
\$390.00 (1203)/\$195.00 (2203) \$

Petition is hereby made to extend the current due date so as to cover the filing date of this
paper and attachment(s)

One Month Extension	\$130.00 (1251)/\$65.00 (2251)
Two Month Extensions	\$490.00 (1252)/\$245.00 (2252)
Three Month Extensions	\$1110.00 (1253)/\$555.00 (2253)
Four Month Extensions	\$1730.00 (1254)/\$865.00 (2254)
Five Month Extensions	\$2,350.00 (1255)/\$1,175.00 (2255) \$

Terminal disclaimer enclosed, add
\$140.00 (1814)/ \$70.00 (2814) \$

☐ Applicant claims "small entity" status. ☐ Statement filed herewith

Rule 56 Information Disclosure Statement Filing Fee	\$180.00 (1806)	\$	0.00
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Assignment Recording Fee	\$40.00 (8021)	\$	0.00
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Other:		\$	0.00
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TOTAL FEE	\$	0.00
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☐ **CREDIT CARD PAYMENT FORM ATTACHED.**

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140.

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NIXON & VANDERHYE P.C.
By Atty: Arthur R. Crawford Reg. No. 25,327

Signature: _____



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

KANG, H. et al.

Atty. Ref.: 912-41; Confirmation No. 3476

Appl. No. 10/676,260

TC/A.U. 1612

Filed: October 2, 2003

Examiner: Kishore

For: SUBMICRON-LIPOSOME CONTAINING HIGHLY CONCENTRATED
TRITERPENOID AND METHOD FOR PREPARING THEREOF

* * * * *

October 2, 2008

MAIL STOP AF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE TO FINAL REJECTION

This is responsive to the Official Action of July 15, 2008 in which claims 1-14, 16 and 17 have been finally rejected. The Official Action includes four separate rejections (items 2-5), three of them directed to all pending claims and the fourth directed to claim 17 only.

Applicants prepare triterpenoid-containing liposomes by (a) dispersing a triterpenoid having an acid moiety in a polyol while heating; (b) adding a base into the dispersion of step (a) thereby converting the acid group in the triterpenoid to a salt to prepare a low viscosity dispersion. Separately (c) phospholipid is dissolved in ethanol at room temperature to prepare an ethanol solution of phospholipids, then (d) adding the ethanol solution of step (c) into the dispersion of step (b) to prepare a mixture. This mixture is then (e) added to distilled water and then emulsified to prepare an emulsion; and finally (f) adding an acid to the emulsion of step (e) to convert the triterpenoid salt of step (b) back to the acid form. This results in liposomes having diameters in a range of 0.001~10 μ m and containing the triterpenoid in a range of 0.001~5% by